

**Special Selectmen's Meeting Minutes
December 31, 2009
Harpswell Town Office**

Selectmen Present: James S. Henderson, Mark E. Wallace and Elinor Multer

Staff Present: Kristi Eiane, Town Administrator

Media Present: Beth Brogan, Times Record Reporter

1. Call to Order: The meeting was called to order by Chairman Henderson at 11:30 a.m.

2. Executive Session: Chairman Henderson moved to enter executive session pursuant to 1 M.R.S.A. § 405 (6) (E) to consult with the Town Attorney regarding the West Harpswell School closure matter, seconded by Selectman Wallace; motion passed 3-0.

3. Board to Consider Taking Legal Action Re: West Harpswell School Closure Matter:
At 12:16 p.m. the Board returned to open session.

Members of the Public Present: David I. Chipman, Elizabeth Davis and Robert McIntyre

Chairman Henderson explained that the Board had received advice from the Town Attorney regarding the cost of a case, the probability of success and how the statutes might be interpreted by the courts. He indicated that the Board was told by the Town Attorney that great deference is generally paid to state agencies in court. Chairman Henderson noted that there is an option to send a letter to the Commissioner of Education indicating dissatisfaction with costs of the principal and other associated costs, and asking for her reconsideration.

Selectman Multer pointed out that the Town Attorney had commented that the Town's money might be better spent on other matters.

Chairman Henderson agreed that it appeared to be a long shot and concluded filing a complaint was not worth doing, but he was interested in formally communicating with the Commissioner on the issue.

Chairman Henderson moved that the Selectmen send a letter to the Commissioner indicating objection to the principal cost calculation within the meaning of savings as far as the statutory definition is concerned, seconded by Selectman Multer; motion passed 3-0.

4. Adjournment: The meeting adjourned by unanimous vote at 12:26 p.m.

Respectfully submitted,

Kristi K. Eiane, Town Administrator